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protein as a nasal composition. The Examiner may withdraw non-elected method Claim 40, without prejudice to its rejoinder during later examination and/or prosecution in a Divisional Application. For search purposes, the Applicants designate the following species as representative of Group III: the antigen of Claims 22, 26-28, 30-35, and 37-38; RSV virus of Claims 29-31; and Sequence ID No. 2 (Klebsiella membrane protein) and No. 136 (RSV antigen) of Claims 25 and 33, respectively.

In addition to the election requirement, the Office raises objections regarding the drawings/photographs and the form of the Abstract and Specification.

The Applicants note, contrary to the Examiner's comment, that replacement Claims 22 - 40 remain pending in the instant application; whereas, the original PCT Claims 1- 21 were cancelled upon submission of the Preliminary Amendment filed September 27, 2000. Hence, Restriction Group I, directed to Claims 1- 21, is thereby rendered moot.

The Office has asked the Applicants to provide an abstract on a separate sheet. The Applicants respectfully submit that this request is improper under MPEP § 1893.03(e). According to procedure, the Office is to rely on the abstract which

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is printed on the cover of the PCT pamphlet. The Applicants point out that such an abstract is clearly present on the cover page of the instant application.

The Office has also asked the Applicants to insert language into the Specification identifying the application as a 35 USC § 371 National Phase application. The Applicants respectfully submit that this request is not required under MPEP § 1893.03(a) because the application was filed along with Form PTO-1390; which form makes of record the requested assertion that the application is a National Phase application.

The Applicants having responded to the Office concerns regarding form, hereby respectfully request that all objections regarding the Abstract and Specification be withdrawn.

Finally, the Office Draftsperson objects to the drawings and photographs under 37 CFR 1.84, for illegibility and poor quality. With this Response, the Applicants correct the deficiencies by submitting replacement copies of Figures 1A, 1B, and 2-10. Withdrawal of all objections related to the figures is hereby solicited.

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Swift and favorable consideration of the instant application is respectfully solicited.

Respectfully submitted,

THE FIRM OF HUESCHEN AND SAGE

By:


G. PATRICK SAGE

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Enclosure: Postal Card Receipt, fee for one (1) month extension, and corrected figures 1-10.

THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY FURTHER OR ADDITIONAL FEES WHICH MAY BE REQUIRED (DUE TO OMISSION, DEFICIENCY, OR OTHERWISE), OR TO CREDIT ANY OVERPAYMENT, TO DEPOSIT ACCOUNT NO. 08,3220.